

Before the
Federal Communications Commission
 Washington, DC 20554

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In the Matter of)
)
 Amendment of Section 73.202(b),)
 Table of Allotments,)
 FM Broadcast Stations)
 (Dawson, Cordele, and Pinehurst, Georgia))

RM-

JUN 19 2003

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

To: **Assistant Chief, Audio Services Division**
Media Bureau

PETITION FOR RULEMAKING

West Com Corp., permittee of Station WMRZ, Channel 251A, Dawson, Georgia, and Metro Com Corp., licensee of Station WQXZ, Cordele, Georgia, by their attorney, hereby request that the Commission amend the FM Table of Allotments as follows:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
Dawson, Georgia	251A	251C3
Cordele, Georgia	252A	—
Pinehurst, Georgia	—	252A

In support thereof, the following is stated:

Attached hereto is a Technical Statement which demonstrates that Channel 251A can be upgraded to Channel 251C3, specifying 31° 37' 25" N, 84° 19' 49" W as reference coordinates. This allotment at those coordinates will allow the permit to be upgraded without shortspacings to any currently or proposed existing full-service stations other than Station WQXZ, Channel 252A, Cordele, Georgia. As a part of this rulemaking request, however, Station WQXZ proposes to change its community of license from Cordele, Georgia, to Pinehurst, Georgia. As seen in the

attached engineering statement, that channel can be re-allocated to Pinehurst utilizing reference coordinates 32° 10' 03" N, 83° 37' 51" W, and as required, is mutually-exclusive with its present allotment. In the event the proposed reallocation is adopted, the upgrade of Station WMRZ will not be short-spaced with any existing or currently proposed FM broadcast station.

Under Section 1.420(g)(3) of the Commission's rules, licensees may request the substitution of a higher class of channel and a modification of their existing licenses in the course of a rulemaking proceeding if they are upgrading on their existing channels or on channels that are adjacent to their current channels of operation, and the new allotment is mutually-exclusive with the original allotment. 47 C.F.R. § 1.420(g)(3). This proposal satisfies those requisites. Also as required, the proposed re-allotment of Channel 252A from Cordele to Pinehurst will result in a preferential arrangement of allotments, and will not deprive Cordele of aural service. The community of Pinehurst is an established community, with a population (according to 2000 Census) of 307 persons. The community currently has assigned to it no aural services. In contrast, even after the reallocation of Channel 252A, Cordele will continue to be the community of license of Station WAEF(FM), Channel 212C3, and will be the community for new service by Construction Permit BNP-20001023ADO. Thus, while the allotment of Channel 252A to Cordele only satisfies Priority "4" (other public interest matters), the re-allotment of Channel 252A to Pinehurst will satisfy Priority "3" (first local service), and therefore will constitute a preferential arrangement of allotments.¹

¹ The Commission's has an established allotment criteria which was set forth initially in Revision of FM Assignment Policies and Procedures, 90 F.C.C.2d 88 (1982), which establish the following allotment priorities:

- (1) first full-time aural service
- (2) second full-time aural service
- (3) first local service

Thus, adoption of this proposal will be in the public interest. As demonstrated in the engineering statement attached hereto, approval of this proposal will allow West Com to increase the population it will serve from 46,149 persons to 150,116 persons. Moreover, as noted above, not only will the re-allotment of Channel 252A from Cordele to Pinehurst allow Metro Com to provide new first local aural service to the public in Pinehurst, Georgia, it also will allow Metro Com to increase overall service from 31,014 persons to 35,269 persons. Attachment 1.

(4) other public interest matters;

Co-equal weight is given to priorities (2) and (3).

Accordingly, West Com Corp. and Metro Com Corp. respectfully request that this Petition be adopted, that the Commission propose the amendment of the FM Table of Allotments to specify the new channel at Pinehurst, Georgia, and the upgrade of Channel 252A to Channel 252C3 at Dawson, Georgia, and that the Commission request comment on the proposal contained herein. In the event the proposals are adopted, Metro Com Corp. and West Com Corp. will expeditiously apply for construction permits for the proposed facilities, and construct the facilities proposed therein.

Respectfully submitted,

METRO COM CORP.
WEST COM CORP.

By: _____


Dan J. Alpert

Its Attorney

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June 19, 2003

Joint Petition for Rule Making
West Com Corp and Metro Com Corp
Dawson, Cordele and Pinehurst, Georgia
June 2003

This Petition for Rule Making is filed jointly by West Com Corp, permittee of WMRZ, Channel 251A, Dawson, Georgia and Metro Com Corp, licensee of WQXZ, Channel 252A, Cordele, Georgia. West Com wishes to upgrade WMRZ from Channel 251A to Channel 251C3. To accomplish this class increase, Metro Com proposes to change the community of allocation of WQXZ from Cordele to Pinehurst. Both of these changes can be accomplished in full accordance with the Commission's spacing and city grade requirements.

The proposed reference coordinates for Channel 251C3 at Dawson are: 31° 37' 25" North Latitude and 84° 19' 49" West Longitude. Exhibit 1 is the Section 73.207 showing that all spacing requirements are met. This exhibit assumes the WQXZ is re-allotted to Pinehurst, Georgia. From the site, the 23.2 km uniform terrain city grade signal covers all of Dawson, Georgia. This city grade coverage is depicted in Exhibit 1A. This increase of class for WMRZ has a profound impact on the area and population served:

	Population	Area
WMRZ - Class A Operation	46,149	2,445.86 sq km
WMRZ - Class C3 Proposal	150,116	4,739.37 sq km

In order to accommodate the WMRZ upgrade, Metro Com proposes to change the allocation of WQXZ to Pinehurst, Georgia. The 252A Pinehurst allocation coordinates are: 32° 10' 03" North Latitude and 83° 37' 51" West Longitude. This site was selected not only for clearing all Section 73.207 allocation requirements, but also because it is the site of a pre-existing tower structure where the station can locate its antenna when constructed. This site is further identified as Structure Registration Number 1020418. Not having to build a new supporting structure provides an economy of airspace and environmental resources. The compliance of the spacing regulations of Section 73.207 can be seen in Exhibit 2. From this location the coverage of the Pinehurst, the proposed city of license, can be seen in Exhibit 2A.

Pinehurst is an established community that is identified in the 2000 Census with a population of 307 persons. The community is located in Dooly County which has a population of 11,525 persons. This proposed broadcast service will be the first service allocated at Pinehurst. By contrast, Cordele has a variety of radio and television services either on the air or permitted. Other than WQXZ (FM), Cordele has allotted to it the following aural and video facilities:

WAEF(FM) 212 C3 (90.3 mHz) 11 KW – 154 M HAAT (NCE)
New AM CP (BNP-20001023ADO) – 1490 1 KW – Unlimited
WSST-TV Channel 55 – 100 KW ERP
WSST-TV (Digital) Channel 51 50 KW CP

Re-allotting WQXZ to Pinehurst will leave a variety of broadcast services allotted at Cordele while being the first service allotted to Pinehurst.

The Pinehurst reference coordinates and the current WQXZ site in Cordele are separated by a distance of 29.61 km. Since Section 73.207 requires co-channel Class A facilities to be separated by a distance of 115.0 KM, this Metro Com proposal for Pinehurst is mutually exclusive with the current allotment.

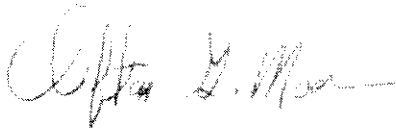
WQXZ, at the present licensed Cordele location, operates under Section 73.215. The current site has a Section 73.207 short spacing to the WMRZ Class A CP at Dawson, GA. When re-allocated to Pinehurst, WQXZ can be free to operate as an unrestricted Class A station not operating under Section 73.215. This unrestricted operation allows WQXZ to serve more persons and a greater area:

	Population	Area
WQXZ - Cordele Operation	31,014	1,785.51 sq km
WQXZ - Pinehurst Proposal	35,269	2,519.64 sq km

It is therefore requested to amend Section 73.202, The FM Table of Allotments as follows:

City	Present	Proposed
Dawson, Georgia	251A	251C3
Cordele, Georgia	212C3, 252A	212C3
Pinehurst, Georgia	None	252A

All information contained herein is thought to be true and correct to the
knowledge of the undersigned:



Clifton, G. Moor
Bromo Communications, Inc.

June 17, 2003

Exhibit 1

Dawson, GA
Searching at Allocation Reference

REFERENCE
31 37 25 N
84 19 49 W

CLASS = C3
Current Spacings

DISPLAY DATES
DATA 06-07-03
SEARCH 06-10-03

----- Channel 251 - 98.1 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
WMRZ.C	CP 251A	Dawson	GA 16.81	302.1	142.0	-125.19
**WQXZ	LIC-N 252A	Pinehurst	GA 89.52	47.3	89.0	0.52
WRVX	LIC 250A	Eufaula	AL 89.96	292.9	89.0	0.96
WRVX.C	CP -N 250A	Eufaula	AL 89.96	292.9	89.0	0.96
WISKFM	LIC 254C3	Americus	GA 51.19	7.9	43.0	8.19
WMGP	LIC-Z 251C3	Hogansville	GA 170.36	340.0	153.0	17.36
WAGH	LIC 252A	Fort Mitchell	AL 106.66	320.6	89.0	17.66
WIBBFM	LIC 250C3	Fort Valley	GA 118.06	27.0	99.0	19.06
WQHLFM	LIC 251C2	Live Oak	FL 197.36	138.4	177.0	20.36
WTKE	LIC 251C1	Holt	FL 238.11	253.3	211.0	27.11
ALLO	RSV 251C3	East Dublin	GA 185.29	55.4	153.0	32.29
WELT.C	CP 251C3	East Dublin	GA 189.14	56.6	153.0	36.14
WTKE.C	CP -N 251C1	Holt	FL 256.93	238.9	211.0	45.93
WKEP.C	CP 250A	Woodville	FL 140.80	171.0	89.0	51.80
WKAA	LIC-N 249A	Ocilla	GA 95.20	96.2	42.0	53.20
WLPF	LIC-Z 253A	Ocilla	GA 105.26	99.1	42.0	63.26
WELT	LIC 251A	Swainsboro	GA 214.25	59.5	142.0	72.25
RADD	ADD 251A	Twin City	GA 218.25	61.8	142.0	76.25
WFSY.C	CP 253C0	Panama City	FL 165.55	222.0	87.0	78.55
WFSY	LIC 253C0	Panama City	FL 165.70	222.1	87.0	78.70
WUFFFM	APP 248A	Eastman	GA 124.36	57.4	42.0	82.36
WUFFFM	LIC 248A	Eastman	GA 124.51	57.1	42.0	82.51
WYYX	LIC 249C1	Bonifay	FL 165.70	222.1	76.0	89.70

**This Rule Making requests that WQXZ, currently licensed at Cordele, GA be changed to Pinehurst, GA at coordinates 32 10 03 North Latitude and 83 37 51 West Longitude.

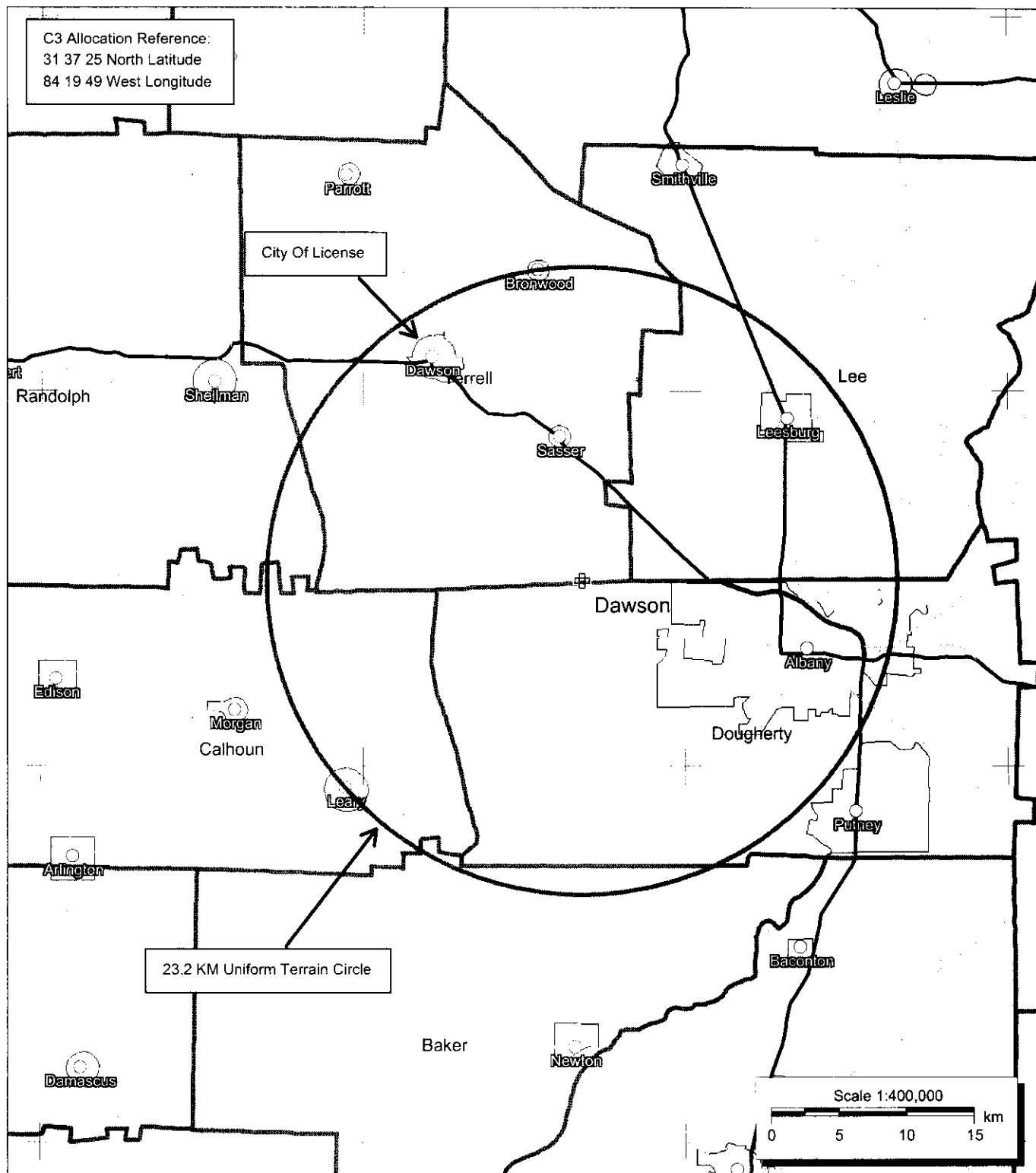


Exhibit 1A
WMRZ City Grade Coverage
251 C3 - 98.1 mHz
Dawson, Georgia

Bromo Communications, Inc.
Atlanta, Georgia
June 2003

Exhibit 2

Pinehurst, GA
Searching at Allocation Reference

REFERENCE
32 10 03 N
83 37 51 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 06-07-03
SEARCH 06-13-03

----- Channel 252 - 98.3 MHz -----

Call	Channel	Location		Dist	Azi	FCC	Margin
WOXZ	LIC-N 252A	Pinehurst	GA	0.00	0.0	115.0	-115.00
WMRZ.C	CP 251C3	Dawson	GA	89.53	227.7	89.0	0.53
WIBBFM	LIC 250C3	Fort Valley	GA	46.19	345.2	42.0	4.19
ALLO	RSV 251C3	East Dublin	GA	97.48	63.3	89.0	8.48
WELT.C	CP 251C3	East Dublin	GA	101.80	65.1	89.0	12.80
WLPF	LIC-Z 253A	Ocilla	GA	85.91	154.2	72.0	13.91
WISKFM	LIC 254C3	Americus	GA	59.73	260.9	42.0	17.73
WAGH	LIC 252A	Fort Mitchell	AL	135.62	279.6	115.0	20.62
RDEL	DEL 253C	Atlanta	GA	188.39	339.8	165.0	23.39
WSB-FM	LIC 253C	Atlanta	GA	188.39	339.8	165.0	23.39
WGCO	LIC 252C1	Midway	GA	223.45	105.5	200.0	23.45
RADD	ADD 253C0	Atlanta	GA	188.39	339.8	152.0	36.39
WKAA	LIC-N 249A	Ocilla	GA	76.31	158.4	31.0	45.31
WELT	LIC 251A	Swainsboro	GA	128.12	68.4	72.0	56.12
RADD	ADD 251A	Twin City	GA	133.43	71.8	72.0	61.43
WMGP	LIC-Z 251C3	Hogansville	GA	159.32	309.1	89.0	70.32
WTCQ	LIC 249A	Vidalia	GA	112.89	86.7	31.0	81.89
WMGZ	LIC 249C3	Eatonton	GA	135.90	15.9	42.0	93.90

WMRZ.C listed above assumes Class C3 operation at the allocation reference proposed herein of 31 37 25 North Latitude and 84 19 49 West Longitude.

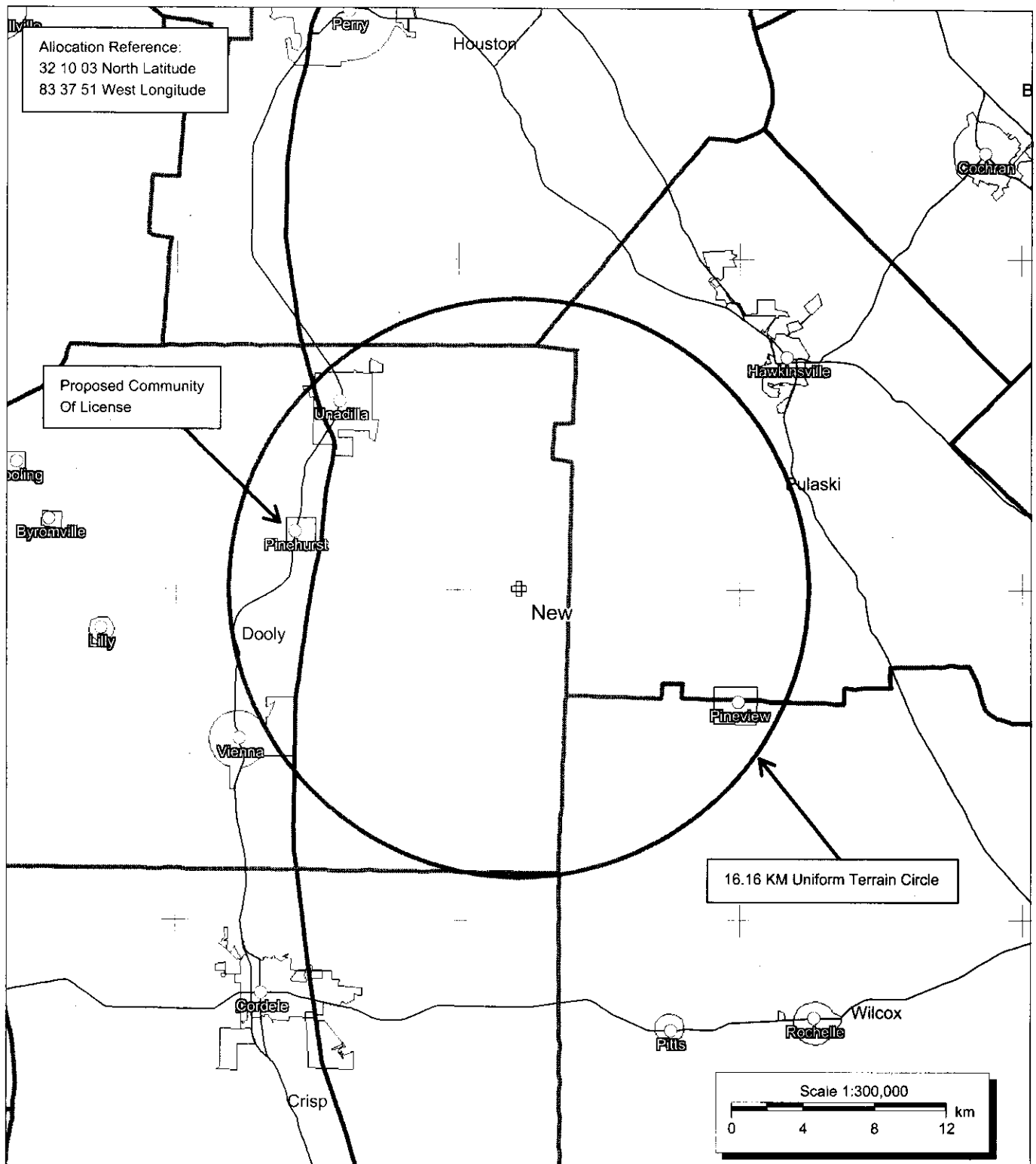


Exhibit 2A
WQXZ City Grade Coverage
252 A - 98.3 mHz
Pinehurst, Georgia
Bromo Communications, Inc.
Atlanta, Georgia
June 2003